



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Peter Osypka

Application No.: 10/062,114

Confirmation No.: 9980

Filed: January 31, 2002

For: IMPLANTABLE STENT

Group: 3731

Examiner: Victor X. Nguyen

Our File: SMB-PT041

(P02-048 M US)

Date: February 16, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

Pursuant to Pre-Official Gazette Notice signed July 11, 2003 waiving the requirements under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003, copies of the cited U.S. documents have not been included. Copies of all other cited references are enclosed.

The references were cited in a German Office Action dated January 5, 2005, copy enclosed, from the corresponding German application. In the German Office Action,


only new reference U.S. 4,776,337 is discussed in connection with disclosing an expandable walled stent, referring to column 4, lines 36-47, in combination with publication (1) from the December 17, 2001 German Action. This refers to U.S. 5,591,223, which was submitted with the May 2, 2002 IDS in this case.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Peter Osypka

By



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RJH/dmm
Enclosures



Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				ATTY. DOCKET NO. SMB-PT041		SERIAL NO. 10/062,114		
				APPLICANT Peter Osypka				
				FILING DATE January 31, 2002		GROUP 3731		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	AD	4,776,337	10/1988	Julio C. Palmaz				
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
	AE	101 03 000	08/2002	Germany			YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.